

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Donahue, et al.

Appl. No. 10/761,278

Filed: January 22, 2004

For: **Method Capable of Increasing  
Competency of Bacterial Cell  
Transformation**

Confirmation No.: 3164

Art Unit: 1656

Examiner: Nashed, N.

Atty. Docket: 0942.4710003

**Petition To Revive Unintentionally Abandoned Application For Patent  
Under 37 C.F.R. § 1.137(b) And Request For Extension of Time Under  
37 C.F.R. § 1.17**

**MAIL STOP FEE AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This paper is a Petition to Revive an Unintentionally Abandoned Application under 37 C.F.R. § 1.137(b). The Commissioner is respectfully requested to consider this Petition and to withdraw any holding of abandonment of the captioned application. The Commissioner is also requested to consider this paper as a request for a three month extension of time in which to reply to the Office Action of May 9, 2006.

The petition fee of \$1,500.00 according to C.F.R. § 1.17(m) for revival of an unintentionally abandoned application, and the fee of \$1,020.00 according to C.F.R. § 1.17(a)(3) for a three month extension of time are included herewith. No further fees are believed to be due with the filing of this paper. However, if additional fees are due, the Commissioner is authorized to charge said fees from Deposit Account No. 50-3994.

The unintentional abandonment of the captioned application was caused by the transfer of responsibility for the case from outside counsel to Assignee's in-house

counsel, and the concurrent implementation of Assignee's new patent file management and docketing systems. There was never an intention on the part of the Assignee to abandon this application from August 9, 2006 until December 7, 2006.

As required by 37 C.F.R. § 1.137(c), Applicants concurrently filed herewith a Continuing Application.

Respectfully submitted,

Date: December 7, 2006

/Natalie A. Davis/

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